
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JOE N. DANIELS,

Plaintiff,

versus

WARDEN NORSWORTHY,

Defendant.

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CIVIL ACTION NO. 1:21-CV-429

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Joe N. Daniels, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights lawsuit.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate Judge recommends granting plaintiff's motion and dismissing the lawsuit without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions set forth in the Report and Recommendation are correct and the Report of the magistrate judge is **ADOPTED** as the opinion

of the court. Plaintiff's motion to dismiss is **GRANTED**. An appropriate final judgment will be entered.

SIGNED at Beaumont, Texas, this 27th day of September, 2021.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE